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PATENT APPLICATION No.: 10/030,971
ATTORNEY DOCKET: 60730.000002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/030,971 Confirmation No.: 2813
Applicant : Nils BRUNNER, et al.
Filed : January 15, 2002
Title : COMPOSITION HAVING STEROIDAL ESTROGEN EFFECT
WITHOUT INCREASING THE RISK OF BREAST CANCER
TC/Art Unit : 1616
Examiner: : Sabiha Naim Qazi, Ph.D.

Docket No. : 60730.000002
Customer No. : 21967

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants submit attached Form PTO-SB/08A (modified) for consideration and request the references cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

Applicants respectfully point out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

For the convenience of the Examiner in considering the cited references, a copy of each of the cited references is enclosed with this communication. In considering the cited references, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the cited references. Any such markings were either present on the copies of the cited

references obtained by the associated individuals, or were made thereon during the study of the references by the associated individuals.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Applicants state that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

No fees are believed due with this submission, but in the event they any fees are deemed necessary, please charge the fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: September 8, 2006

By: 

Robert C. Lampe, III
Registration No. 51,914

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Substitute for form 1449/PTO <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; margin: 0;">(use as many sheets as necessary)</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/030,971</td> </tr> <tr> <td>Filing Date</td> <td>January 15, 2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Nils BRUNNER, et al.</td> </tr> <tr> <td>Art Unit</td> <td>1616</td> </tr> <tr> <td>Examiner Name</td> <td>Sabiha Naim Qazi, Ph.D.</td> </tr> </table>	Application Number	10/030,971	Filing Date	January 15, 2002	First Named Inventor	Nils BRUNNER, et al.	Art Unit	1616	Examiner Name	Sabiha Naim Qazi, Ph.D.
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Sheet	2 of 3	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Attorney Docket Number</td> <td>60730.000002</td> </tr> </table>	Attorney Docket Number	60730.000002								
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OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	3.	Neßelhut, et al., "Untersuchungen zur Proliferativen Potenz von Phytopharmaka mit östrogenähnlicher Wirkung bei Mammakarzinomzellen", Arch. Gynecol. Obstet., 254: pg. 817-818, 1993. (and English translation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	4.	Lieberman, "A Review of the Effectiveness of <i>Cimicifuga racemosa</i> (Black Cohosh) for the Symptoms of Menopause", Journal of Women's Health, Vol. 7, No. 5, pgs. 525-529.	<input type="checkbox"/>	<input type="checkbox"/>
	5.	Freudenstein, et al., "Influence of an Isopropanolic Aqueous Extract of <i>Cimicifugae Racemosae</i> Rhizoma on the Proliferation of MCF-7 Cells", Poster Abstract presented 23 rd international LOF-Symposium on "Phyto-Estrogens", January 15, 1999.	<input type="checkbox"/>	<input type="checkbox"/>
	6.	Düker, et al., "Die Wirkung von Extrakten aus <i>Cimicifuga racemosa</i> auf die Gonadotropinfreisetzung in menopausalen Frauen und ovariectomierten Ratten", Planta Medica, 57: pgs. 420-424, 1991. (and English translation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	7.	Li, et al., "Effects of <i>Cimicifugae</i> rhizoma on serum calcium and phosphate levels in low calcium dietary rats and on bone mineral density in ovariectomized rats", Phytomedicine, Vol. 3, No. 4, pgs. 379-385, 1996/97.	<input type="checkbox"/>	<input type="checkbox"/>
	8.	T. Kayser, "Triterpenglykoside aus <i>Cimicifugae</i> rhizoma gegen Osteoporose?", Z. Phytomedicine, pgs. 282 and 285, 1997.	<input type="checkbox"/>	<input type="checkbox"/>
	9.	Carruthers-Czyzewski, et al., "Hip Fractures", Canadian Pharmaceutical Journal, 1998, Seiten, pgs. 34-37.	<input type="checkbox"/>	<input type="checkbox"/>
	10.	Genazzani, et al., "Vascular Action of Acteina: Active Constituent of <i>Actaea Racemosa</i> L.", Nature, Vol. 12, pgs. 544-545, 1962.	<input type="checkbox"/>	<input type="checkbox"/>
	11.	Foster, "Black Cohosh: <i>Cimicifuga racemosa</i> A Literature Review", HerbalGram, Vol. 45, pgs. 35-49, Winter 1999.	<input type="checkbox"/>	<input type="checkbox"/>
	12.	Zava, et al., "Estrogen and Progestin Bioactivity of Foods, Herbs, and Spices", P.S.E.B.M., Vol. 217, pgs. 369-378, 1998.	<input type="checkbox"/>	<input type="checkbox"/>
	13.	H. Gerhard Vogel, Wolfagng H. Vogel (Eds.), "Drug Discovery and Evaluation - Pharmacological Assays", Berlin Heidelberg New York, pgs. 639-641, 1997.	<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/030,971
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			YES	NO
	14.	Piérard, et al., "Effect of Hormone Replacement Therapy for Menopause on the Mechanical Properties of Skin", JAGS, Vol. 43, pgs. 662-665, 1995.	<input type="checkbox"/>	<input type="checkbox"/>
	15.	A.A. Robinson, "Breast Cancer: A Significant Causal Relationship", Medical Hypotheses, 1996, pg. 483.	<input type="checkbox"/>	<input type="checkbox"/>
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